

RESOLUTION 2016-07

RESOLUTION OF TOOELE COUNTY APPROVING THE SALE OF CERTAIN REAL PROPERTY OWNED BY TOOELE COUNTY TO THE REDEVELOPMENT AGENCY OF TOOELE COUNTY BY ENTERING INTO THE ATTACHED "PURCHASE AND SALE AGREEMENT"

WHEREAS, Tooele County possesses real property commonly known as the Utah Motorsports Campus, more specifically described as:

LOT 1, DESERET PEAK PUD PHASE 5, A PLANNED UNIT DEVELOPMENT OF TOOELE COUNTY, according to the Official Plat thereof on file and recorded December 6, 2006 as Entry No. 273563 in the Office of the Tooele County Recorder. 512.46 ACRES.

WHEREAS, Tooele County does not believe it is in the best interest of the public for it to operate the Utah Motorsports Campus, but nonetheless wishes to preserve and encourage the economic benefit the Utah Motorsports Campus provides by employing county citizens, supporting local businesses, and generally promoting Tooele County as a motorsports recreation destination in the state and region, among other economic benefits;

WHEREAS, the Utah Motorsports Campus is adjacent to the Deseret Peak Commercial Redevelopment Area, which Tooele County established in order to encourage commercial development in the area;

WHEREAS, the Redevelopment Agency of Tooele County's ownership of the adjacent Utah Motorsports Campus will assist it in the planning, undertaking, construction, and operation of the Deseret Peak Commercial Redevelopment Area because it will encourage the continued viability of a large commercial facility in the area's immediate vicinity;

WHEREAS, the continued commercial viability of the Utah Motorsports Campus is necessary to aid and cooperate in the planning and implementation of the development of the Deseret Peak Commercial Redevelopment Area;

WHEREAS, public notice of this sale has been posted in compliance with Utah Code § 17C-1-207(1)(b);

WHEREAS, the Utah Motorsports Campus constitutes a project under the Utah Industrial Facilities and Development Act;

WHEREAS, for the reasons heretofore stated, the Tooele County Commission considers selling the Utah Motorsports Campus to the Redevelopment Agency of Tooele County under the terms set forth in the attached "Purchase and Sale Agreement" advisable;

WHEREAS, for the foregoing reasons, the Tooele County Commission has determined that it is in the public interest to dispose of the Utah Motorsports Campus by private sale to the Redevelopment Agency of Tooele County;

WHEREAS, the Utah Motorsports Campus constitutes a significant parcel under Utah Code § 17-50-312 and Tooele County Code § 1-10-2(2);

WHEREAS, Tooele County has provided reasonable notice, as defined in Utah Code § 17-50-312(2)(a), of the disposition of the Utah Motorsports Campus and on this date has held a public hearing allowing for public comment on that disposition;

WHEREAS, the Cash Purchase Price set forth in the attached "Purchase and Sale Agreement" meets or exceeds the adequate consideration required under Utah law, including under Tooele County Ordinance § 1-10-4; and

WHEREAS, the Tooele County Commission therefore determines that it is in the best interest of the public to enter into the attached "Purchase and Sale Agreement" selling the Utah Motorsports Campus to the Redevelopment Agency of Tooele County.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE LEGISLATIVE BODY OF TOOELE COUNTY:

1. That Tooele County enter into the attached "Purchase and Sale Agreement" selling the Utah Motorsports Campus, more specifically described as:

LOT 1, DESERET PEAK PUD PHASE 5, A PLANNED UNIT DEVELOPMENT OF TOOELE COUNTY, according to the Official Plat thereof on file and recorded December 6, 2006 as Entry No. 273563 in the Office of the Tooele County Recorder. 512.46 ACRES.

to the Redevelopment Agency of Tooele County;

2. That Wade B. Bitner, Chair of the Tooele County Commission, is hereby authorized to enter into the attached "Purchase and Sale Agreement" and to sign the same for Tooele County, and to execute all documents required to formalize and effect Tooele County's agreements in the attached "Purchase and Sale Agreement," including a quitclaim deed in the form attached as an exhibit to that agreement;

3. That Tooele County staff members be and are hereby authorized to prepare all required documents and to undertake all such actions as may be necessary in furtherance of Tooele County's obligations under the attached "Purchase and Sale Agreement" and to complete the agreed property transfer;

4. That a copy of the attached "Purchase and Sale Agreement" will be kept at the Office of the County Clerk/Auditor for thirty days following the publication of this Resolution, where it shall be available for public examination during regular business hours;

5. That this Resolution shall be forthwith published in a newspaper qualified to carry notices and having general circulation; and

6. That this Resolution shall take effect upon its adoption.

APPROVED AND ADOPTED by the legislative body of Tooele County this 24th day of August 2016.

ATTEST:

TOOELE COUNTY COMMISSION:

MARILYN K. GILLETTE, Clerk /Auditor

WADE B. BITNER, Chairman

(S E A L)

Commissioner Bateman voted _____

Commissioner Bitner voted _____

Commissioner Milne voted _____

APPROVED AS TO FORM:

SCOTT A. BROADHEAD
Tooele County Attorney